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October 10, 2023

The Borough of Bay Head Planning Board
81 Bridge Avenue
Bay Head New Jersey 08742

Re: Variance Application 812 Main Avenue Bay Head NJ

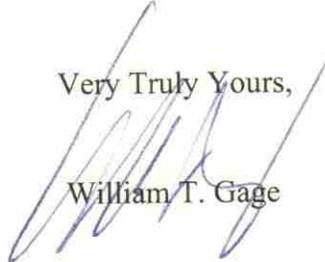
Dear Mr. Chairman and Ladies and Gentlemen of the Planning Board:

Enclosed, please find an application and supporting documentation for a proposed development of the above referenced property. I have been retained by the applicant, Maria Gaal, with regard to this application. After the proposed development, there shall be the following non-conforming conditions upon the property:

- A front yard setback of 33.7 feet where 35 feet is the minimum required;
- A south side yard setback of 1.3 feet to the deck and 7.5 feet to the dwelling where 10 feet is the minimum required;
- A combined side yard setback of 11.8 feet where 25 feet is the minimum required;
- A rear yard setback of 9.2 feet to the deck where 15 feet is the minimum required;
- A building coverage of 41.8% where 35% is the maximum permitted;
- An accessory side yard setback of 4 feet to the swimming pool where 10 feet is the minimum required;
- An accessory front yard setback of 10 feet to the swimming pool where 35 feet is the minimum required;
- An accessory front yard setback of 28.2 feet to the air conditioning platform where 35 feet is the minimum required;
- No street frontage where 100 feet is the minimum required.

The applicant proposes to install a swimming pool and relocate the air conditioning platform. Kindly advise when this application is deemed complete and placed on the calendar for a hearing. If you have any questions, please do not hesitate to contact me.

Very Truly Yours,


William T. Gage



BOROUGH OF BAY HEAD
 Planning Board
 83 Bridge Ave., P.O. Box 248
 Bay Head NJ 08742
 732-892-0388 Fax: 732-899-6494

DEVELOPMENT APPLICATION

Application No. _____

See the Development Application Instructions & Filing Procedures for detailed instructions on completing this application. This application, together with the required fee, attachments and supporting documentation, must be filed with the Board Clerk not later than twenty-one (21) days prior to the scheduled Board meeting date. If this application involves erecting a new structure or substantial alteration of an existing structure, applicants should consult with the Construction Official for compliance with the Borough's Flood Plain Regulations prior to filing this application.

APPLICANT INFORMATION.

Applicant Name: Maria Gaal
 Address: 812 Main Avenue
 City, State & Zip: Bay Head New Jersey 08742
 Telephone: (732) 604-4970 Fax: ()

If the Applicant is not the Property Owner, the PROPERTY OWNER AUTHORIZATION section must be completed. Applicant is:

Property Owner Tenant Contract Purchaser Other: _____

If the Applicant is a corporation or partnership, the name, address and percentage of ownership of all persons owning 10% or more of the corporate stock or partnership interest must be disclosed. Applicant is:

Individual(s) Corporation Partnership Other: _____

PROPERTY INFORMATION.

Street Address: 812 Main Avenue Block: 74 Lot: 8

Lot Dimensions (feet): 67.5 x 131.89 (Irreg) Lot Area (square feet): 9,322.06 Corner Lot: Yes No

Zoning District: R-50 R-100 B-1 B-2 B&B Conservation

Number of Buildings (including garages and storage sheds): _____ Swimming Pool: Yes No

Current Use: Vacant (Proposed)

Single Family Residence

Multi-Family Residence.....# OF DWELLING UNITS: _____

Commercial.....# OF UNITS: _____ TOTAL GROSS FLOOR AREA (SQUARE FEET): _____

Hotel, Bed & Breakfast.....# OF DWELLING UNITS (INCLUDING EFFICIENCIES): _____ # OF ROOMS: _____

Other: _____

Proposed Use: Single Family Residential

- Yes No • Does the proposal increase the present number of uses or dwelling units located on the property or within any building?
- Yes No • Have there been any previous Planning Board (or former Zoning Board of Adjustment) hearings involving the subject property? If yes, attach a copy of the written decision(s).
- Yes No • Are there any deed restrictions, covenants or easements affecting the subject property? If yes, attach a copy.
- Yes No • Does applicant own adjacent property?
- Yes No • Is adjacent property vacant?

- Check all applicable items.
- Property is located within 200 feet of Borough of Mantoloking.
 - Property is located within 200 feet of the Borough of Point Pleasant.
 - Property is located within 200 feet of the Borough of Point Pleasant Beach.
 - Property is located adjacent to a County Road.
 - Property is located adjacent to a State Highway.

PROPOSAL INFORMATION. Summarize the proposed physical changes and use of the property.

Install a swimming pool on the north side of the lot. Relocate the air conditioning platform.

LOT INFORMATION

	Required	Current	Proposed
LOT WIDTH	100 FEET MIN.	67.5	67.5
LOT DEPTH	N/A FEET MIN.	131.8	131.8 (Ave.)
LOT AREA	10000 S.F. MIN.	9322.06	9322.06

ON-SITE PARKING INFORMATION

	Required	Current	Proposed
PARKING SPACES	2 MIN.	2	2

BUILDING INFORMATION

	Required	Current	Proposed
FRONT YARD	35 FEET MIN.	33.7	33.7
REAR YARD	15 FEET MIN.	9.2(Deck) 19.5(House)	9.2(Deck) 19.5(House)
SIDE YARD #1	10 FEET MIN.	1.3(Deck) 7.5(House)	1.3(Deck) 7.5(House)
SIDE YARD #2	10 FEET MIN.	10.5	10.5
BLDG. HEIGHT	32.5 FEET MAX.	27.44	27.44
BLDG. COV.	35 % MAX.	41.8	41.8
ACCESSORY BLDG.	10 FEET MIN.	N/A	4
Lot Cov.	50 %Max	47.9	40.4

BUILDING INFORMATION - Corner Lots Only

	Required	Current	Proposed
FRONT YARD #1	FEET MIN.		
FRONT YARD #2	FEET MIN.		
SIDE YARD #1	FEET MIN.		
SIDE YARD #2	FEET MIN.		
BLDG. HEIGHT	FEET MAX.		
BLDG. COV.	% MAX.		
ACCESSORY BLDG.	FEET MIN.		

ACTION REQUESTED:

- Appeal Alleging Zoning Officer Error (N.J.S.A. 40:55D-70e)
- Interpretation of Zoning Map or Zoning Ordinance & Special Questions (N.J.S.A. 40:55D-70b)
- Request for "Bulk" Variances (N.J.S.A. 40:55D-70c)
- Request for Use Variances (N.J.S.A. 40:55D-70d)
- Request to Direct Issuance of a Permit to Build in Bed of Mapped Street (N.J.S.A. 40:55D-76a-1)
- Request to Direct Issuance of a Permit to Build on Lot not Abutting a Street (N.J.S.A. 40:55D-76a-2)
- Request for Issuance of Certificate of Non-Conforming Use (N.J.S.A. 40:55D-68)
- Conditional Use Approval (N.J.S.A. 40:55D-67)
- Waiver of Required Submissions
- Extend Time Period for Previously Approved Application

Major Site Plan Approval:

- Informal Review
- Preliminary Plat
- Final Plat
- Combined Preliminary & Final Plat
- Amended Preliminary & Final Plat
- Request for Exception to Site Plan Requirements & Standards (N.J.S.A. 40:55D-51b)

Minor Subdivision Approval

- Major Subdivision Approval:**
- Informal Review
- Preliminary Plat
- Final Plat
- Combined Preliminary & Final Plat
- Amended Preliminary & Final Plat
- Request for Exception to Subdivision Requirements & Standards (N.J.S.A. 40:55D-51a)

OTHER: _____

REASONS FOR APPROVAL(S). Summarize the reasons why the variance or other requested approval(s) can be granted without substantial detriment to public good or substantial impairment to the intent and purposes of the zone plan and zoning ordinance.

The front yard non-conformities are exacerbated by the uniqueness of the lot. What is officially the front yard is functionally the rear of the property and borders upon a lot on Main Avenue. If the eastern side of the lot were treated as the rear of the property, the swimming pool and air conditioning platform would comply with R-50 requirements.

APPLICATION ATTACHMENTS. Please check all items which are attached to the Application.

- Application Fee & Escrow Deposit Application Fee: \$ 350.00 Escrow Deposit: \$ 1,500.00
- Tax Collector Certification
- Zoning Officer Denial (for variances applications or Zoning Officer Appeal)
- Property Survey (all applications)
- Plot Plan
- Architectural Elevations and Floor Plan
- Photos of Property
- Environmental Impact Report (Site Plan Applications)
- Site Plan (Site Plan Applications)
- Subdivision

APPLICANT'S EXPERTS. (If applicable)

Attorney William T. Gage Esq
 Address 536 Lake Avenue
Bay Head New Jersey 08742
 Phone (732) 899-1200 Fax (732) 899-1192

Engineer Charles E. Lindstrom
 Address 136 Drum Point Road, Suite 6
Brick New Jersey 08723
 Phone (732) 477-8900 Fax (732) 477-8026

Architect _____
 Address _____
 Phone (_____) _____ Fax _____

Other _____
 Address _____
 Phone (_____) _____ Fax _____

PROPERTY OWNER AUTHORIZATION. If the Applicant is not the property owner, provide the following information:

Property Owner Name: _____
 Address: _____

Subject to applicable penalties, I hereby certify the statements and information submitted with this application are true; that all surveys plot plans and drawings accurately reflect the current condition of the subject property; and I am the owner of the property which is the subject of the within application, and that said application is hereby authorized.

October 10, 2023
 Date

[Signature]
 Signature of Property Owner or authorized agent

REVIEW FEE ESCROW AGREEMENT & APPLICANT CERTIFICATION.

William T. Gage
 Attorney at Law of the State of New Jersey

Subject to applicable penalties, it is hereby certified the foregoing statements and information submitted with this application are true and that all surveys, plot plans and drawings accurately reflect the current condition of the subject property. It is further certified the undersigned is the applicant, a general partner of a partnership applicant, or an authorized officer of a corporate applicant.

CHECK IF APPLICABLE: [] I hereby certify the plans and specifications which accompany this application were prepared by me, as I am acting as the design of said building/alteration which is to be constructed by myself for my own occupancy or occupancy by my immediate family. The phrase "constructed by myself" does not mean that I intend to personally do the work but that I am the person undertaking the work as owner and principal.

In accordance with §18-59B (Schedule of Fees) of the Bay Head Land Use Ordinance, the applicant agrees to pay an amount equal to the fee(s) which the Planning Board pays to a professional engineer or planner to review the Development Application and agrees to pay an initial deposit and such other additional deposits as may be required to offset these special review costs incurred by the Planning Board. The Planning Board shall not be required to process the application or take further action on the application until such additional deposits are made by the applicant. In the event that additional deposits requested by the Planning Board remains unpaid for a period of sixty (60) days, this development application shall be deemed to be withdrawn and shall be dismissed without prejudice by the Planning Board. In the event the fees imposed are not paid, any development approvals granted shall be considered null and void.

Sworn to subscribed before me this

day of

Notary Public

[Signature]
 Signature of Applicant or authorized agent

William T. Gage
 Attorney at Law of the State of New Jersey

FOR OFFICE USE ONLY

Applicant Name: _____ Block _____ Lot _____

Application No.: _____

Date Application Filed: _____

Date Application Certified Complete: _____

Scheduled Hearing Date: _____

Calculation of Application Fee & Escrow Deposit

	<i>Application Fee</i>	<i>Escrow Deposit</i>	<i>Total</i>
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	
_____	_____	_____	
Totals	_____	_____	_____

Payments Received

<i>Date</i>	<i>Cash/Check No.</i>	<i>Amount</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Professional Costs Charged To Escrow Deposit

Total Escrow Deposit \$ _____

<i>Date</i>	<i>Description</i>	<i>Amount</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
	Total Costs	\$ _____

Refund of Escrow Deposit

Refund Due \$ _____

<i>Date</i>	<i>Resolution No.</i>	<i>Check No.</i>	<i>Amount</i>
_____	_____	_____	_____